

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Mag. No. 08-3537

:
v. :
:

CONTINUANCE ORDER

JOSE LOPEZ, :
DAVID LOPEZ-CORTEZ and :
JOSE NAVA :
:

This matter having been opened to the Court by the United States (Christopher J. Christie, United States Attorney, by Dennis Carletta, Assistant U.S. Attorney, appearing), and defendants Jose Lopez (David Oakley, Esq., appearing), David Lopez-Cortez (Donald McCauley, Esq., appearing), and Jose Nava (Leticia Zuniga, Esq., appearing), for an Order granting a continuance of the proceedings in the above-captioned matter for the period of 60 days, and the defendants being aware that they have the right to have the matter submitted to a grand jury within 30 days of the date of their initial appearance, pursuant to Title 18, United States Code, Section 3161(b), and the additional right to have the matter submitted for trial within 70 days of the filing of an indictment, pursuant to Title 18, United States Code, Section 3161(c)(1), and the defendants having waived such rights, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

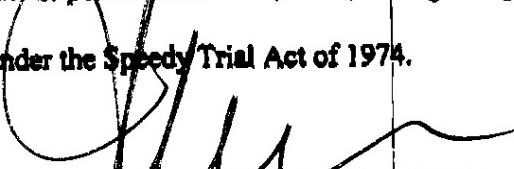
1. The parties are conducting plea negotiations. Successful resolution of these negotiations would render the presentation of this matter to a jury for trial in this matter unnecessary.
2. Defendants have consented to the proposed continuance.
3. The grant of a continuance will likely conserve judicial resources.

4. Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendants in a speedy trial.

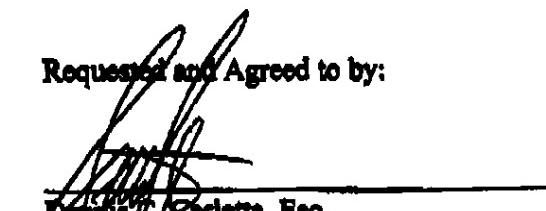
WHEREFORE, it is on this 11 day of August 2008,

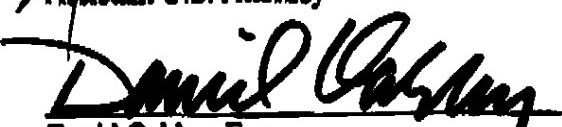
ORDERED that the proceedings scheduled in the above-captioned matter are continued for the period of June 27, 2008, through August 26, 2008, and

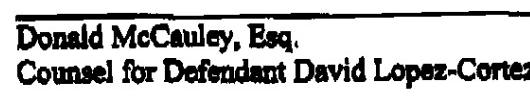
IT IS FURTHER ORDERED that the period of June 27, 2008, through August 26, 2008, shall be excludable in computing time under the Speedy Trial Act of 1974.

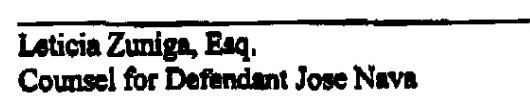

HON. MARK FALK
United States Magistrate Judge

Requester and Agreed to by:


Dennis C. Carletta, Esq.
Assistant U.S. Attorney


David Oakley, Esq.
Counsel for Defendant Jose Lopez


Donald McCauley, Esq.
Counsel for Defendant David Lopez-Cortez

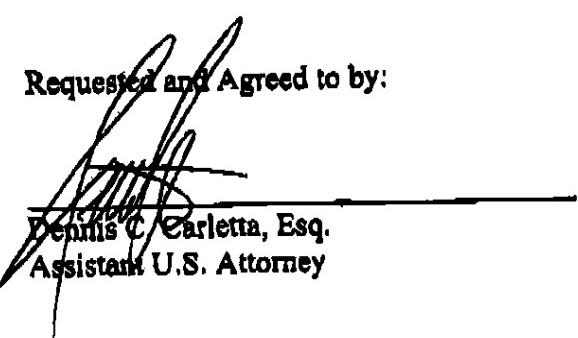

Leticia Zuniga, Esq.
Counsel for Defendant Jose Nava

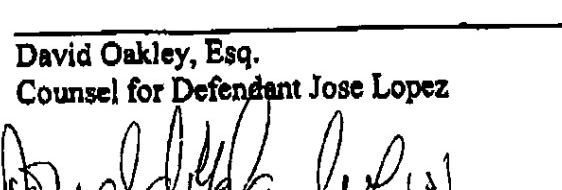
4. Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendants in a speedy trial.

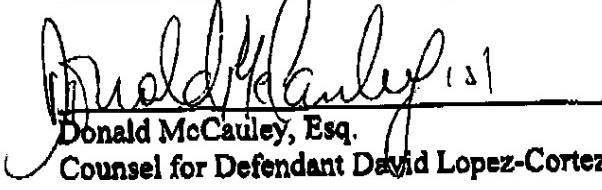
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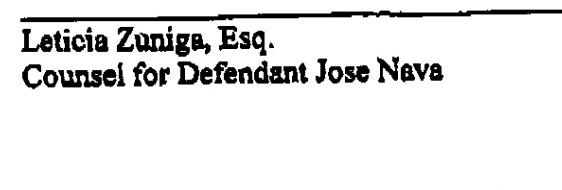
HON. MARK FALK
United States Magistrate Judge

Requested and Agreed to by:


Dennis C. Earlett, Esq.
Assistant U.S. Attorney


David Oakley, Esq.
Counsel for Defendant Jose Lopez


Donald McCauley, Esq.
Counsel for Defendant David Lopez-Cortez


Leticia Zuniga, Esq.
Counsel for Defendant Jose Nava

4. Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendants to a speedy trial.

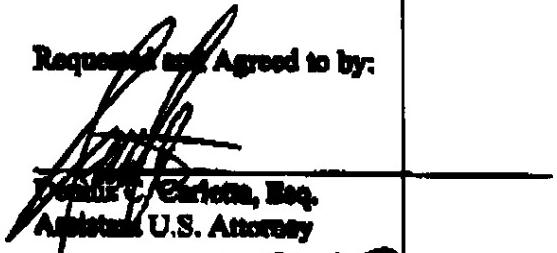
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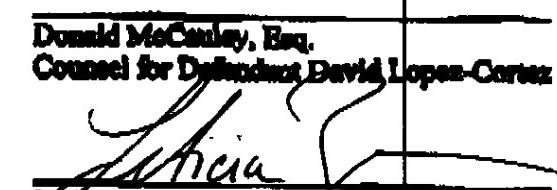
IT IS FURTHER ORDERED that the period of June 27, 2008, through August 26, 2008, shall be excludable in computing time under the Speedy Trial Act of 1974.

HON. MARK FAIX
United States Magistrate Judge

Request and Agreed to by:


Donald C. Cortez, Esq.
Assistant U.S. Attorney


David Oakley, Esq.
Counsel for Defendant Jose Lopez


Donald McConahey, Esq.
Counsel for Defendant David Lopez-Cortez


Justicia Zuniga, Esq.
Counsel for Defendant Jose Neva

4. Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendants in a speedy trial.

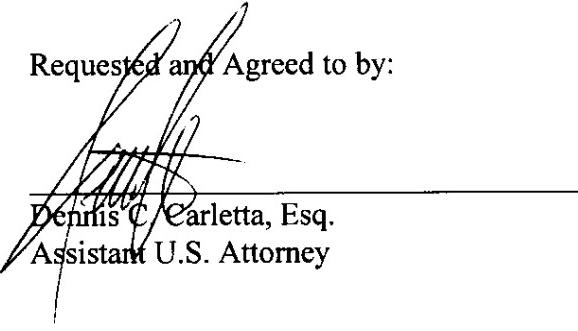
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HON. MARK FALK
United States Magistrate Judge

Requested and Agreed to by:



Dennis C. Carletta, Esq.
Assistant U.S. Attorney

David Oakley, Esq.
Counsel for Defendant Jose Lopez

Donald McCauley, Esq.
Counsel for Defendant David Lopez-Cortez

Leticia Zuniga, Esq.
Counsel for Defendant Jose Nava